IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

Bail Appl..No. 5515 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.5170/2007 Dated 23/08/2007

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CRIME NO. 72/2007 OF KONGAD POLICE STATION

PETITIONER/7TH ACCUSED:

SHINOY @ BIJOY, S/O. FRANCIS,
PORATHUR VEEDU, RAMAVARMAPURAM, THRISSUR.

BY ADV. SRI.P.K.ANIL

RESPONDENTS: COMPLAINANT/STATE:

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1. THE SUB INSPECTOR OF POLICE,
KONGAD POLICE STATION.

2. STATE, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5515 of 2007

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Dated this the 12th day of September, 2007

ORDER

Second application for regular bail. The petitioner along with co-accused faces allegations under Sec.395 IPC. Altogether there are 14 accused persons. The petitioner was arrested on 27.7.07. The alleged incident took place on 18.4.07. I have adverted to the facts in detail in the order dated 23.8.07 in B.A.No.5170/07. Hence, I am not adverting the facts in greater details in this case. This order must be read as continuation of the said order. The earlier application was dismissed. As per the said order, the petitioner was granted the liberty to move this Court for bail again after 6.09.07. Accordingly this petition has been filed.

2. The petitioner prays that the petitioner may in these circumstances be enlarged on bail now. The learned Public Prosecutor opposes the application. Investigation is not completed yet. It is prayed that the Investigator may be granted reasonable further time to complete the investigation. I find merit in the opposition by the learned Public Prosecutor. I am satisfied that the Investigator must be given some further time to complete the

investigation in a serious crime like the instant one. The fact that some of the accused have been released on bail after completing considerable period in prison is not a reason to justify the prayer for release of the petitioner at this stage.

3. In the result, this petition is dismissed. However, I may hasten to observe that the petitioner shall be at liberty to move this court or the Sessions court for bail again at later stages of the investigation not, at any rate, prior to 26.09.2007. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE